



PLANNING COMMISSION SYNOPSIS

Wednesday, June 25, 2008

5:00 p.m. STUDY SESSION - *CANCELLED*

Riparian Corridor Policy

ROOM LOCATION W-120

6:30 p.m. Regular Meeting

Council Chambers

First Floor, City Hall Wing

200 East Santa Clara Street
San José, California

Ash Kalra, Chair

Randi Kinman, Vice-Chair

Xavier Campos

Lisa Jensen

Matt Kamkar

Christopher Platten

Jim Zito

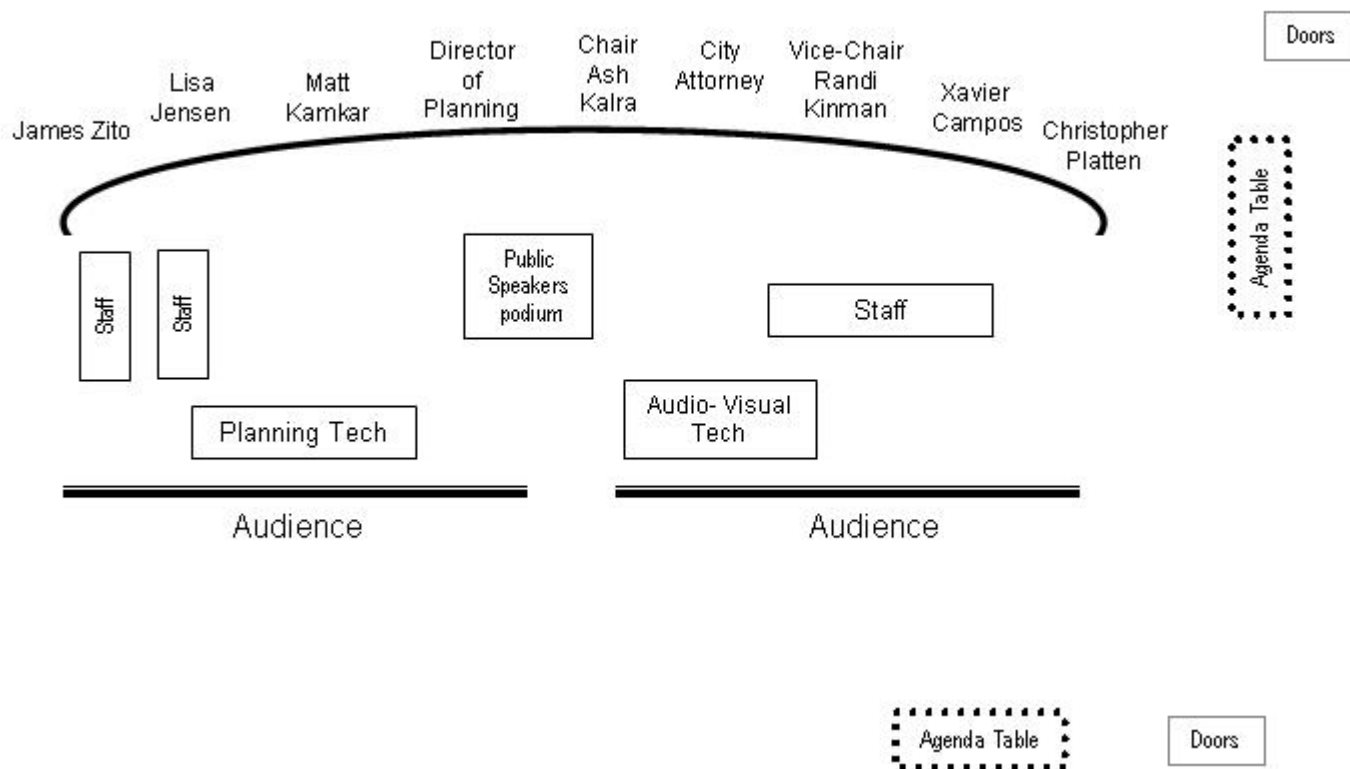
Joseph Horwedel, Director

Planning, Building and Code Enforcement

NOTE

To listen to the audio recording of the planning Commission, please go to the Planning website at: http://sanJosé.granicus.com/ViewPublisher.php?view_id=17

The Planning Commission is a seven-member body, appointed by the City Council, which makes recommendations to the City Council regarding the adoption, amendment, or repeal of general or specific plans, and regulation of the future physical land use development, redevelopment, rehabilitation or renewal of the City, including its Capital Improvement Programs. The recommendations to the Council regarding land use development regulations include, but are not limited to, zoning and subdivision recommendations. The Commission may make the ultimate decision on Conditional Use Permits, and acts as an appellate body for those persons dissatisfied with the Planning Director's decisions on land use and development matters. The Commission certifies the adequacy of Environmental Impact Reports.



The San José Planning Commission generally meets every 2nd and 4th Wednesday at 6:30 p.m., unless otherwise noted. Agendas and Staff Reports for Planning Commission items may be viewed on the Internet at http://www.sanjoseca.gov/planning/hearings/planning_com.asp

All public records relating to an open session item on this agenda, which are not exempt from disclosure, pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, 3rd Floor Tower, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

Audio for the Planning Commission hearings are recorded and broadcasted live. To listen to live audio broadcast or to listen to past hearing recordings go to the Internet website: http://sanjose.granicus.com/ViewPublisher.php?view_id=17

If you have any questions, please direct them to the Planning staff at (408) 535-7800. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

AGENDA
ORDER OF BUSINESS

1. ROLL CALL

All Commissioners were present.

2. DEFERRALS

NONE

3. CONSENT CALENDAR

- a. [CP08-011](#). Conditional Use Permit to demolish existing structures, to construct 8,108 square foot buildings for automobile dealership uses, and allow outdoor vehicle display on a 0.96 gross acre site in the CG General Commercial Zoning District, located on the south side of Stevens Creek Boulevard, approximately 300 feet easterly of Loma Linda Drive (5000 STEVENS CREEK BL)(Tronis Stevens Creek/Tully Properties Fam. LP, Owner). Council District 1. SNI: None. CEQA: Exempt. *PROJECT MANAGER, E.SCHREINER*

APPROVED (7-0-0)

- b. [CP08-038](#). Conditional Use Permit to allow a public drinking establishment and after midnight operation until 2:00 a.m on a 0.07 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the north side of East Santa Clara Street, approximately 150 feet east of N. 1st Street (31 E. Santa Clara St.)(Pham Hong Thoa, Owner/Johnny V's Bar, Applicant). Council District 3. SNI: None. CEQA: Exempt. *PROJECT MANAGER, L.BUTLER*

APPROVED (7-0-0)

- c. [CP07-099](#). Conditional Use Permit to allow a medical office use in a 26,000 square foot portion of an existing 37,000 square foot industrial office building on a 1.7 gross acre site in the IP Industrial Park Zoning District, located on the east side of Via Del Oro, approximately 750 feet northerly of Great Oaks Boulevard (6620 VIA DEL ORO)(Edenvale Associates LLC, Owner). Council District 2. SNI: None. CEQA: Exempt. *PROJECT MANAGER, S.SAHA*

APPROVED (7-0-0)

- d. [CPA02-001-01](#). Conditional Use Permit Amendment to renew the term of an existing drinking and entertainment establishment and late night use until 2:00 a.m. in the CP Pedestrian Commercial Zoning District, located on the southwest corner of South 1st Street and Willow Street (Club Caribe at 1009 S. 1st St.)(Avanessian Sandra G, Owner). Council District 3. SNI: Washington. CEQA: Exempt. *PROJECT MANAGER, E.SAMONSKY*

APPROVED (7-0-0)

The following items are considered individually.

4. **PUBLIC HEARINGS**

- a. **PDC06-082**. Planned Development Rezoning from R-1-5 Single-family Residence Zoning District to A(PD) Planned Development Zoning District to allow up to six single-family detached residences (five new units and one existing unit to remain) on a 0.8 gross acre site, located at the north side of Elden Drive, approximately 500 feet easterly of South Bascom Avenue, (679 & 681 ELDEN DR)(Richard McLeod and John A. & Rose Carol Giossa, Owners). Council District 9. SNI: None. CEQA: Mitigated Negative Declaration. *PROJECT MANAGER, S.SAHA*

RECOMMENDED APPROVAL (7-0-0)

- b. **CP07-092**. Conditional Use Permit to convert an existing bookstore into a day care center with a pre-school on a 0.40 gross acre site in the CO Office Commercial Zoning District, located on northwest corner of Bercaw Lane and Wyrick Avenue (14381 BERCAW LN)(Beck, Diaz and Menendez LLC, Owner). Council District 9. SNI: None. CEQA: Exempt. *PROJECT MANAGER, E.SCHREINER*

APPROVED (7-0-0)

- c. **PDC07-101**. Planned Development Rezoning to allow 290 multi-family residential units on a 4.045 gross acre site, located on the southeast corner of North First Street and East Rosemary Street (Metro Eight Properties, LLC, Owner; ROEM Development Corporation, Developer). Council District 3. SNI: None. CEQA: Addendum to North San José EIR. Deferred from 06/11/08. *PROJECT MANAGER, J.BATY*

RECOMMENDED APPROVAL (7-0-0)

- d. **PDC07-102**. Planned Development Rezoning from the IP - Industrial Park Zoning District to the A(PD) Planned Development Zoning District to allow up to 300 multi-family attached residential units and up to 1,500 square feet of retail on a 3.69 gross acre site, located on the northeast corner of River Oaks Parkway and Zanker Road (199 River Oaks Parkway)(Applejack 199 LP, Owner). Council District 4. SNI: None. CEQA: Addendum to North San José EIR. Dropped & Renoticed from 06/11/08. *PROJECT MANAGER, J.BATY*

RECOMMENDED APPROVAL (7-0-0)

- e. **PLANNING COMMISSION BYLAWS**. Adoption of a resolution amending Planning Commission Resolution No. 64-1 to update and amend the Planning Commission By-Laws to amend the term for officers, to make the language of the By-Laws gender neutral, to provide for meeting procedures, and to make other nonsubstantive, technical clarifications and corrections.

CONTINUED (7-0-0; DATE TO BE DETERMINED; APPOINTED COMMISSIONER ZITO TO REPLACE COMMISSIONER KINMAN ON BYLAWS SUBCOMMITTEE)

Subcommittee will continue work more and current By-Laws remain in effect; need to agendize election of Chair and Vice Chair for July Planning Commission hearing.

5. PETITIONS AND COMMUNICATIONS

NONE.

6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES

NONE.

7. GOOD AND WELFARE

- a. Report from City Council

NONE.

- b. Commissioners' Report from Committees:

- 1) Norman Y. Mineta San José International Airport Noise Advisory Committee (Campos).

No Meeting.

- 2) Parks Funding Subcommittee (Zito).

Polling on ballot measure to change C&C taxes is not favorable.

- 3) Envision San José 2040 General Plan Update Process (Kamkar).

Update on meeting on Monday, June 23rd. Saturday, June 28th, City Tour.

- c. Review of synopsis for 06/11/08.

Commissioner Kinman – correction for Item 4.c. to reference non-compliance with Martha Gardens Specific Plan as reason for not support project.

- d. Consider Study Session dates and/or topics.

August 6th for Riparian Corridor Policy Study Session.

- e. Review Fiscal Year 2007-08 Summary of Planning Commission actions regarding consent items and deferrals.

Planning Commission Notes – 18% of deferrals were made by Planning Commission and remainder by staff or applicant.

8. ADJOURNMENT

2008 PLANNING COMMISSION MEETING SCHEDULE

Date	Time	Type of Meeting	Location
January 16	6:30 p.m.	Regular Meeting	Council Chambers
January 30	6:30 p.m.	Regular Meeting	W118 & W119
February 13	5:00 p.m.	Study Session	Room T-332
		<i>Review & Comment: Planning Department Website</i>	
February 13	6:30 p.m.	Regular Meeting	Council Chambers
February 27	5:00 p.m.	Study Session	Room T-332
		<i>CEQA: Reviewing Environmental Impact Reports</i>	
February 27	6:30 p.m.	Regular Meeting	Council Chambers
March 12	5:00 p.m.	Study Session	Room T-332
		<i>North San José</i>	
March 12	6:30 p.m.	Regular Meeting	Council Chambers
March 26	5:00 p.m.	Study Session	Room T-332
		<i>Green Vision/Develop City Policy</i>	
March 26	6:30 p.m.	Regular Meeting/General Plan	Council Chambers
April 9	5:00 p.m.	Study Session	Room T-332
		<i>Riparian Corridor Policy</i>	
April 9	6:30 p.m.	Regular Meeting/General Plan	Council Chambers
April 21 (Monday)	5:00 p.m.	Study Session	Room T-332
		<i>Inclusionary Housing & Housing Element</i>	
April 21 (Monday)	6:30 p.m.	Regular Meeting/General Plan	Council Chambers
May 7	5:00 p.m.	Study Session	Room T-1654
		<i>Capital Improvement Program</i>	
May 7	6:30 p.m.	Regular Meeting	Council Chambers
May 14	6:30 p.m.	Regular Meeting	Council Chambers
May 28	6:30 p.m.	Regular Meeting	Council Chambers
June 11	5:00 p.m.	Study Session	Room T-332
		<i>Planning Commission By-Laws</i>	
June 11	6:30 p.m.	Regular Meeting	Council Chambers
June 25	5:00 p.m.	Study Session	CANCELLED
		<i>Riparian Corridor Policy</i>	
June 25	6:30 p.m.	Regular Meeting	Council Chambers
July 16	6:30 p.m.	Regular Meeting	W-118, W-119, W-120
August 6	6:30 p.m.	Regular Meeting	Council Chambers
August 20	6:30 p.m.	Regular Meeting	Council Chambers
September 10	6:30 p.m.	Regular Meeting	Council Chambers
September 24	5:00 p.m.	Study Session	Council Chambers
		<i>Joint Study Session with Parks Commission</i>	
September 24	6:30 p.m.	Regular Meeting	Council Chambers
September 25	8:30 p.m.	Annual Retreat	Room T-550
October 8	6:30 p.m.	Regular Meeting	Council Chambers
October 22	6:30 p.m.	Regular Meeting	Council Chambers
November 5	6:30 p.m.	Regular Meeting	Council Chambers
November 19	6:30 p.m.	Regular Meeting	Council Chambers
December 3	6:30 p.m.	Regular Meeting	Council Chambers
December 10	6:30 p.m.	Regular Meeting	Council Chambers